

**From:** Applestinx@aol.com@inetgw  
**To:** Microsoft ATR  
**Date:** 12/12/01 8:16pm  
**Subject:** Microsoft Settlement

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To the Folks at the Department of Justice, (favorable to Microsoft)

Here are my feelings about the proposed Microsoft settlement. I begin with my history of owning an Apple computer. My story helps make most of my points.

Late January, 2000, my iMac Special Edition arrived. It constantly crashed. I called Apple Techsupport. They had me reload & reload the operating system & go through many other lengthy procedures. After a couple months, I shipped it to an Apple service provider, who pronounced it f??A-OKf?? and shipped it back to me. I plugged the iMac back in, ran it, crashed immediately.

I purchased f??AppleCaref??, the extended warranty, as I realized I had huge problems on my hands. Under this warranty plan, a technician will come to your home. There was one problem after another, aggravated by the fact that Apple often had to wait weeks to get the parts in stock.

Eventually, the Apple service provider took the iMac from me, bringing it to the shop, where it was declared dead on arrival. Apple promised to replace the machine.

Chicago was hit shortly thereafter by a terrific snowstorm, making it impossible for me to get the machine back. Apple insisted that I personally return the machine before they would issue a replacement. Why? Their dealer was already in possession of the machine. I called Apple many times, I was treated badly. Finally, I asked for a refund. I was told, f??Would Ford give you a refund, so you could go buy a Chevy?f??.

It should be understood that I had spent hundreds of hours on the phone with Apple, often waiting 45 minutes on hold.

When my replacement machine came, I could not sell it, though I tried. The snowstorms left all Chicagoans not wanting to drive or go anywhere that was not absolutely necessary.

Eventually I sold it to an individual who wanted it for its f??iMovie2f?? software, which permits editing videos right on the computer. Surprisingly, the buyer told me he owned two Apple laptop computers, both non-functional. He told me that many people had posted similar problems with these models at the Apple web site. Apple considered this a f??known issuef??.

First iMac serial #: SG953EAP-HQS

Second iMac #: RN04008DJVA

I WANT TO SHOW THAT APPLE IS NOT BEING DESTROYED BY MICROSOFT, APPLE IS BEING DESTROYED BY APPLE.

Apple is one of the only true competitors for home computers. Apple differs from Microsoft in that Apple not only writes its own software, but holds exclusive rights to the design of its Apple computers. Apple controls both the hardware & software aspects. Therefore, if a problem arises, Apple can f??t point a finger at anyone else.

From what I have read, Apple has by far the best software for editing movies, & Apple computers are the choice of most companies that do video production for advertising. Isn't that giving Apple an unfair advantage? Shouldn't they be punished for hogging the entire video market?

Apple's iMacs, until recently, had no way to save to floppy disk or make backups to a CD. This was odd, since Apples carry a premium price. Apple started f??iToolsf??, a service for Apple users, so they could store things on Apple's computers via Apple's website. I did just that. And Apple lost my files. Since I had no other way to back things up, everything was lost when the dealer took my first iMac away to the shop.

I had to re-create some time consuming graphics. I created & saved them using Apple's f??AppleWorksf?? suite of programs. AppleWorks is a word processor, spreadsheet, database, drawing & painting program. One file, which I so painstakingly re-created, became corrupted, & never printed out right. (Same printer, now on a PC, works splendidly.)

While I went through my 10 month ordeal with Apple, they sent me the newest version of their AppleWorks software. It crashed at the slightest provocation. It was worse than the first version.

MICROSOFT IS CRUSHING APPLE? For those who choose to use Apples in a business environment, they often find Apple's Appleworks is simply not suitable for the job. Fortunately, Microsoft makes software, Microsoft Office & Microsoft Word for the Apple computer. Without Microsoft, many Apple users would be up a creek.

MICROSOFT OVERCHARGES FOR SOFTWARE? Maybe, maybe not. I wish software were a lot cheaper. If one wants to buy the latest, greatest version of Microsoft Windows, Windows XP, it will cost \$100. If one wishes to buy the latest version of Apple's operating system, called OSX (operating system 10) it will cost between \$100 & \$130. I am still receiving many Apple-oriented mail order catalogs from Apple mail order companies. The price seems to fluctuate, and I don't know why. If Microsoft is overcharging for software, then so is Apple. Why aren't Apple's sins under investigation?

CHICAGO SUN TIMES, TUESDAY DECEMBER 11, 2001 PAGE 50:

Article: Microsoft changes court offer

An excerpt:

f Apple holds nearly half the pre-college educational market and analysts said that share could be threatened by the settlement. f (End of Quote)

What? Apple holds 50% of that educational market, yet when it comes to buying a home computer, 95% choose not to go with an Apple, the very computer they may have learned on. Something is very wrong here. I had to learn the Apple on my own (my first computer), since no one I knew had an Apple. Then, because of my total lack of faith in Apple, I switched to a PC after 18 months. It is not pleasant to have to throw away everything you've learned to learn a new system. Why, if 50% of kids grow up using an Apple, do they choose to buy a PC? Apple certainly didn't make much of an impression on these kids.

As an Apple user for some 18 months, I followed all the Apple-related news on the web. Steve Jobs, CEO of Apple, had cut the sales staff that dealt with schools. Is this Microsoft's fault that Jobs made a poor decision? Apple could be holding much more than that 50%. Apple could be offering free stuff to our schools. But they aren't doing so. They want the DOJ to punish Microsoft, and turn some of the proceeds over to Apple, a company which in many ways is more guilty than Microsoft. I don't recall Microsoft trying to convince me not to use a Mac. I had free choice. Apple convinced me not to use an Apple.

MICROSOFT'S OFFER OF A BILLION DOLLARS OF HARDWARE & SOFTWARE IS A SCAM- THE SOFTWARE COSTS THEM ALMOST NOTHING.

Consider this: Dell Computer runs a contest, you can win a \$4000 computer if you get lucky. We all know \$4000 is what we would pay for that computer. It does not cost Dell \$4000 to give it to me if I win. Most people understand the concept of profit, and I think any company that writes software would understand the difference between intellectual & tangible property. Steve Jobs of Apple, whose company actually charges more for software than does Microsoft, wants to be on the receiving end of Microsoft's punishment. As I stated in my Apple ownership history, Apple made it clear that it didn't matter what I'd been through with Apple to get it to work. They weren't going to give me money so that I could go support another brand.

Apples simply can't compete, though they have a large presence in the educational arena, & they were the first to introduce modern operating systems. Apple is not being destroyed by Microsoft, in fact, Microsoft is a blessing to them. Apple is being destroyed by Apple. I FIND IT EXTREMELY DISTASTEFUL THAT A COMPANY SUCH AS APPLE, ACTUALLY MUCH DIRTIER THAN MICROSOFT, WANTS TO TAKE ADVANTAGE OF THE SITUATION. APPLE'S SINS ARE UNDER THE RADAR BECAUSE NO ONE REALLY CARES ABOUT A LITTLE COMPANY WITH LESS THAN 5% MARKET SHARE.

THERE IS ANOTHER OPERATING SYSTEM FOR BOTH THE PC & THE APPLE

MTC-00004255\_0003

## IT IS CALLED LINUX

Linux is an operating system that is free. The original f??inventorf?? copyrighted it & gave it away. The idea was that no one could own it. If a company can improve the thing, they can charge for the improvements they have made. Users can make all the copies they want & distribute them. A friend could give me a copy. He could charge me for his time & the CD, if he wishes. Since this is a f??freef?? operating system, why isn't everyone using it? In spite of the fact that many companies produce Linux, (Redhat, Caldera, Xandros, Mandrake, f?|f?|f?|f?|f?) almost no one can produce a version that doesn't require advanced knowledge & some special skills. You need to understand how to correct faulty installations by using your knowledge of Linux. If you can't load the darn thing, how can you ever learn it? Some, smarter than I, have succeeded at installing the Linux operating system. I succeeded, after a 2 hour call to Canada. The thing only took 10 minutes to boot up, & began to crash. I could install it a different way. But I would still need to replace my modem with a different modem, if I want to get on the internet. Microsoft Windows is a large, bulky operating system, but it pleases most people. At present, Linux seems primitive. It's like going back to outhouses, cars without power brakes or steering, and fireplaces. Who wants to go back to those f??good old daysf??? Amazon.com has switched to Linux & made it work. A few other companies are going in that direction. So Microsoft DOES have competition in that market. Maybe one day Linux will be ready for us average guys. I hope so. Microsoft isn't holding these many companies back. They can't, as yet, compete fully with Microsoft. Apple's new OS is sort of related to this Linux. Has Apple chosen wisely? Only time will tell. As much as it irks me, there's a chance Apple could succeed, even surpass Microsoft Windows. Will the DOJ then come along & punish Apple, requiring Apple to make some of Apple's settlement available to buy Microsoft products?

## ONE LAST POINT-MAYBE NOT ALL THAT IMPORTANT

I am just sick of hearing how Microsoft forces folks into a never ending cycle of purchasing upgrades. Microsoft will not come to your home & beat you up if you don't upgrade. The word processor that works so well today will be equally good 3 years from now. I think of Microsoft as the kitchen-sink company. They throw in every possible feature, including the kitchen sink. I don't think there will be any great technological advances in writing letters in the near future. Microsoft Word has too many darn features. If people want to buy new software, they do it for the same reason that women buy the latest fashions, they don't need the stuff (If I'm not too slick with a word processor, don't blame Microsoft if I've made mistakes in this letter.) There are a few people still working with Windows 95 & many people working with Windows 98. If Microsoft's registration policy is overly restrictive, the market will punish them. So far, despite all the complaints, the majority still chooses Windows. The market has spoken. Microsoft has lots of money. They're no more guilty than their competition. Let Microsoft give a billion dollars, it won't hurt them. But let them take pride in donating their own product. Don't force them to support the even-dirtier competition. All of a sudden, Apple & Redhat Linux stick their noses in this thing. Apple & Redhat never expressed much concern about our schools before this. They want to collect welfare from Microsoft, & pull it off as caring, social responsibility. If they care so much about our schools, let them make separate contributions to the school systems.

Out of things to type, finally,

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I apologize-AOL always messes up the formatting of the stuff I type.